

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 14-CR-140-JFH-3

ROBERT WILKERSON,

Defendant.


OPINION AND ORDER

Before the Court is a sealed motion to dismiss the indictment [Dkt. No. 40] without prejudice as to Defendant Robert Wilkerson filed by the United States of America (“Government”). Dkt. No. 323.

Under Fed. R. Crim. P. 48(a), “courts must grant prosecutors leave to dismiss charges unless dismissal is clearly contrary to manifest public interest.” *United States v. Robertson*, 45 F.3d 1423, 1437 n.14 (10th Cir. 1995) (quoting *Rinaldi v. United States*, 434 U.S. 22, 30 (1977)). Based on the facts set out in the sealed motion, the Court concludes that dismissal of the charge against Defendant is not contrary to the public interest, nor is it for an improper purpose. Accordingly, the Government’s motion to dismiss should be granted.

IT IS THEREFORE ORDERED that the Government’s sealed motion to dismiss the indictment without prejudice [Dkt. No. 323] is GRANTED and the indictment [Dkt. No. 40] is dismissed without prejudice as to Defendant Robert Wilkerson.

Dated this 3rd day of August 2023.



JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE